

REMARKS

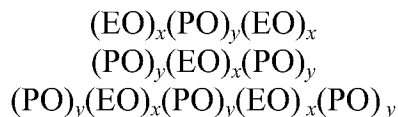
This Amendment is in response to the Office Action dated October 29, 2008. An Examiner Interview was conducted between Examiner Ogden Jr. and Applicant's counsel, Ann Kulprathipanja, on December 15, 2008. Applicant thanks Examiner Ogden for the constructive discussion. With this Amendment, claims 1, 5, 39 and 40 have been amended and claim 41 has been added. In view of the following remarks, the application with claims 1, 3, 5, 11-16 and 39-41 is in condition for allowance and reconsideration and notice to that effect are respectfully requested.

Applicant's counsel wishes to bring to the Examiner's attention that claims 8 and 10 were previously cancelled in the amendment filed on August 25, 2008 and therefore are not pending claims as noted in the Office Action dated October 29, 2008.

Rejections

In the Office Action, claims 1, 3, 5, 8, 10-16, 39 and 40 were rejected under 35 U.S.C. §103(a) as being unpatentable over Underwood (EP0630965) in view of Cummings (U.S. Patent No. 5,750,482). Independent claims 1, 5, 39 and 40 have been amended to clarify that the amine in the cleaning composition is an alkanolamine. Support can be found in the specification for including an alkanolamine at least at lines 11-27 on page 16 of the specification. In addition, Composition D of the present invention illustrated in Table 3 on page 20 of the specification includes monoethanolamine.

Claims 1, 39 and 40 have also been amended to include a water hardness anti-precipitant mixture including a maleic anhydride/olefin co-polymer and an EO-PO co-polymer. The EO-PO co-polymer is defined as having the formula:



wherein EO is an ethylene oxide group, PO is a propylene oxide group, x is between about 10 to about 130 and y is between about 15 to about 70. Support can be found at least at lines 7-16 on page 8 of the specification.

In the Office Action, the Examiner asserted that the compositions in Table 3 of the present application are not commensurate in scope with the claimed invention because the compositions in Table 3 require very specific ingredients and thus, criticality could not be established. (Office Action dated 10/29/08, page 4). While Applicants respectfully disagree with the Examiner's assertion, as amended, the claims now specify that the cleaning composition includes an alkanolamine and defines the EO-PO co-polymer. Thus, the compositions in Table 3 are commensurate in scope with the claims and establish criticality. Compositions A-D of Example 1 on pages 21 and 22 of the present application illustrate that including both a maleic anhydride/olefin co-polymer and an EO-PO co-polymer in a composition results in markedly improved precipitation characteristics compared to including only a maleic anhydride/olefin co-polymer or only an EO-PO co-polymer. In particular, Composition D demonstrates that a composition including both a maleic anhydride/olefin co-polymer and an EO-PO co-polymer as claimed resulted in a solution that did not form any precipitate in hard water at temperatures as low as 32 ° F. In contrast, Composition B, which included only a maleic anhydride/olefin co-polymer precipitated in hard water at a temperature of about 62° F. Composition C, which included only an EO-PO co-polymer, precipitated in water at a temperature between 32° F and about 40 ° F. Because the only variance in the compositions was the presence (or lack thereof) of a maleic anyhydride/olefin co-polymer or an EO-PO co-polymer while all of the other components of the compositions remained the same, Example 1 effectively illustrates the criticality of including both a maleic anyhydride/olefin co-polymer and an EO-PO co-polymer. Neither Underwood nor Cummings disclose or suggest that markedly improved precipitation characteristics are achieved when both such components are used. Accordingly, a person of ordinary skill in the art would not have reasonably expected such results based on the teachings of these references.

Furthermore, Underwood and Cummings do not individually or in combination disclose, suggest or teach a cleaning composition including an alkanolamine and an EO-PO

co-polymer having the formula illustrated above. The Examiner contended that it would have been obvious to the skilled artisan to include a surfactant from the Pluronic series as taught in Cummings with the composition of Underwood because of synergism.

Cummings discloses a glass cleaning composition including a surfactant selected from the group of anionic surfactants, nonionic surfactants, amphoteric surfactants and zwitterionic surfactants. In a list of 7 different nonionic groups, Cummings lists condensates of ethylene oxide with a hydrophobic base formed by condensation of propylene oxide with propylene glycol (e.g., nonionic surfactants of the Pluronic series). Nonetheless, the Examiner concluded that it would have been obvious to modify the composition disclosed in Underwood with a Pluronic series ionic surfactant based on Cummings absent a showing of unexpected results.

Applicants respectfully submit that a person of skill in the art would have had no reason to modify Underwood by selecting a Pluronic series surfactant from the large list of surfactants taught by Cummings. The specification of Underwood already teaches a large list of surfactants suitable for the hard surface cleaning composition. (Page 4, line 48 to Page 6, line 42). Particularly, Underwood even recites a preferred nonionic surfactant, an amine oxide detergent surfactant. (Page 6, lines 20-42). Thus, even if a skilled artisan were to include an additional or substitute surfactants to the preferred nonionic surfactant for synergism, the specification of Underwood already lists a number of surfactants.

Underwood and Cummings do not individually or in combination disclose, show or suggest a cleaning composition including an alkanolamine and a water hardness anti-precipitant mixture including a maleic anhydride/olefin co-polymer and an EO-PO co-polymer having the formula noted above. Claims 1, 39 and 40 are thus in condition for allowance. Therefore, the rejections of claims 1, 39 and 40 should be withdrawn and claims 1, 39 and 40 allowed. In that claim 1 is in condition for allowance, the rejections of claims 3, 5 and 11-16, which depend therefrom, should be withdrawn and claims 3, 5 and 11-16 allowed.

New Claim 41

New claim 41 depends from claim 1 and recites that the EO-PO co-polymer has a molecular weight of greater than about 1,500. Support can be found in the specification at lines 19-21 on page 8, "The material preferably has a molecular weight greater than about 1,500 and more preferably greater than about 2,000." As independent claim 1 is in condition for allowance, claim 41 should also be allowed.

Conclusion

In summary, pending claims 1, 3, 5, 11-16 and 39-41 are patentable for at least the reasons described above. Reconsideration and notice to that effect are respectfully requested. If there are any remaining questions, the Examiner is requested to contact the undersigned at the number listed below.

Respectfully submitted,

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